



Updated 24 March 2003

Information for Employees Entering Military Active Duty

(Limited Service)

Employees must be in an appropriate leave status from their civilian position while on active duty. Appropriate leave includes military leave, annual leave, compensatory time, credit hours, and leave without pay (LWOP). In addition, Air Reserve Technicians (ART) may be eligible for special military technician leave as explained below. In accordance with the provisions of the Uniformed Services Employment and Reemployment Rights Act (USERRA) of 1994, employees interrupting a period of civilian employment to perform military duty will be placed on Leave Without Pay Uniformed Services (LWOP-US) unless they choose to be separated (Separation-US). A Request for Personnel Action (RPA), SF 52, requesting LWOP-US or Separation-US must be submitted with a copy of the active duty orders. An SF 52 is required for all periods of LWOP-US regardless of the duration. The following is designed to provide information regarding your options.

MILITARY LEAVE: Employees (except those working intermittent work schedules or on appointments limited to one year or less) who are members of a Reserve or National Guard component may use accrued military leave in conjunction with LWOP-US or Separation-US, at their option. Eligible full-time employees accrue 15 days/120 hours (15 days x 8 hours) of military leave each fiscal year. Part-time or uncommon tour of duty employees earn an equivalent of 3 workweeks of military leave based on their schedule.

If you are an ART, you may also be eligible to use an additional 44 workdays (352 hours) of military technician leave if you are participating in operations outside the United States, its territories, and possessions. The active duty orders must cite 10 USC 12315(a)(2) (ordered to active duty without pay, with consent of person affected); 10 USC 12301(b) (ordered to active duty, without the consent of the persons affected, for not more than 15 days/120 hours a year), or 10 USC 12301(d) (ordered to active duty with the consent of the persons affected). You must be active duty without pay for all workdays on which this special leave is used -- you should convert to active duty *with* pay on non-workdays. This additional leave cannot be used while on active duty in support of a war or national emergency declared by the President or Congress.

Refer to AFI 36-815, Absence and Leave, for additional information, or contact the Employee Relations Section at your local Civilian Personnel Flight (CPF).

ANNUAL LEAVE: You may use accrued annual leave (all or a portion) in conjunction with LWOP-US; you may choose to receive a lump-sum payment for the balance of unused annual leave upon entry into active duty military service; or you may carry over the annual leave until you are restored to civilian status. Please indicate your decision on the checklist attached to this notice. You will not earn additional annual leave while you are on LWOP. Refer to AFI 36-815, Absence and Leave, for additional information, or contact the Employee Relations Section at your local Civilian Personnel Flight (CPF).

Note – If you are entitled to agency payment of your FEHB premiums during your military active duty in support of a contingency operation, non-refundable FEHB premiums will be withheld from any pay you may receive for military leave, annual leave, compensatory time or credit hours during the 18 month period.

SICK LEAVE: Your sick leave will be held in your leave account until you return to Federal civilian service. You will not earn additional sick leave while you are in a LWOP status. For more information, contact your local CPF, and/or review AFI 36-815.

LIFE INSURANCE: Your Federal Employees Group Life Insurance (FEGLI) coverage (if enrolled) continues at no cost for up to 12 months in nonpay status. After one year of LWOP, your life insurance

will terminate. If you separate from Federal service (LWOP-US) to enter military duty, you will be considered to be in a nonpay status for FEGLI purposes. Your FEGLI coverage will continue, at no cost, for up to 12 months, or until 90 days after your military service ends, whichever date comes first, and will then terminate.

Whether you enter a nonpay status or separate, when your coverage terminates you get a free 31-day extension of coverage during which you may apply to convert your coverage to a private policy. On restoration to Federal civilian service, we'll reinstate your coverage (as long as the position is not excluded from coverage).

If a Federal employee with FEGLI is called to active military duty and is killed, regular death benefits are payable. Accidental death and dismemberment benefits are also payable under Basic insurance (and Option A, if enrolled) unless the employee was in actual combat at the time.

It is possible to enroll in or increase your Option B and Option C coverage due to a qualifying life event (QLE), such as marriage, divorce, death of spouse, or acquiring an eligible child, that occurs during your nonpay status. To be eligible, you must notify BEST of the event, within 31 days before to 60 days after the event, regardless of whether it occurs during the 12 months free coverage or after coverage is terminated. If the QLE occurs before your FEGLI terminates after 12 months, enrollment in or an increase in Option C can be effective before you return to a pay and duty status. If the QLE occurs after FEGLI coverage terminates, Option C will be effective the day you return to a pay and duty status. Enrollment in or an increase in Option B is always effective on return to pay and duty status, regardless of when the event occurs.

HEALTH BENEFITS: If you will be on active duty for 30 days or less, your Federal Employees Health Benefits (FEHB) enrollment will continue without change and you do not need to complete the Health Benefits portion of the attached election sheet. However, if your orders are changed so that your period of military duty is for more than 30 days, you will need to complete another election form, attach your new/amended orders, and provide to your local CPF.

Whether you separate or enter LWOP status to perform active duty for more than 30 days, your FEHB enrollment will continue for up to 18 months unless you elect, in writing, to terminate the enrollment. The 18 month period begins the date of entrance on active duty specified in your orders. If you return to your civilian position and are again called to active duty on a new set of orders, your 18 month period for continuing FEHB starts over.

Military service in support of a contingency operation. If you are called to active duty in support of a contingency operation for more than 30 days and elect to continue FEHB coverage during LWOP-US or Separation-US, the agency will pay your share of the FEHB premium. **(You must complete and submit the attached checklist with your orders if you wish to receive this benefit.)** Your orders must show that you are called to duty (voluntarily or involuntarily) in support of a contingency operation as defined in Title 10, U.S. Code Section 101(a)(13). The maximum period of eligibility for agency-paid premiums is 18 months for each period of active duty. The 18 month period begins the date of entrance on active duty specified in your orders. (FEHB premiums will be deducted for any period you use military leave, annual leave, compensatory time or credit hours during the 18 month period, and are not refundable.) At the end of 18 months your enrollment will terminate, subject to a 31-day temporary extension of coverage and conversion privilege. When you are restored to duty, your enrollment will be automatically reinstated (unless you waive immediate reinstatement to use any transitional TRICARE coverage you may be entitled to). If you don't wish to take advantage of this benefit, you may elect to terminate your coverage. For more information on terminating coverage, see below.

Military service NOT in support of a contingency operation. If you elect to continue your FEHB enrollment, you are responsible for paying the employee share of the premium for the first 12

months and 102% (both employee and government shares and a 2% administrative fee) for the following (and final) 6 months of continued coverage. At the end of 18 months, your coverage will terminate, with a 31-day extension of coverage and right to convert to a private policy. However, please note that during the final 6 months, premiums must be paid to DFAS on a current basis or your enrollment will terminate. Whether your enrollment terminates after 18 months or because you fail to pay your premiums on a current basis during the final 6 months, your coverage will be reinstated when you return to civilian service.

If you elect to continue coverage and incur a debt, payment of the FEHB premiums will be recouped from your salary when you return to duty, and will be on a pre-tax basis if you are participating in Premium Conversion. If you elect to make payments on a current basis, these payments will be on an after-tax basis. Current payments for FEHB premiums should be made by check or money order payable to the Deputy Director for Finance and mailed to the DFAS location shown on your civilian leave and earnings statement (LES). Include a note that the payment is for your FEHB premium, and the pay period for which the payment is being made. Also, be sure to include your name and social security number on the check or money order and all correspondence. (If your civilian LES does not show a DFAS address, please contact BEST.) Please note: If you waive participation in Premium Conversion on entering LWOP status, you will need to submit a new election to participate, within 60 days of restoration to duty, if you wish FEHB premiums deducted on a pre-tax basis.

Terminating your enrollment. If you elect to terminate your enrollment *before* you go on active duty, the termination will be effective the day before you enter active duty. If you initially elect to continue coverage, you may terminate it at any time during the 18-month period **if** you are not participating in Premium Conversion. Employees who participate in Premium Conversion may terminate or cancel their coverage only during an FEHB Open Season or upon a qualifying life event (QLE). Since the start or end of an unpaid leave of absence is a qualifying life event, you may, within 60 days of the beginning of your nonpay status, change your Premium Conversion participation. If you don't waive participation in Premium Conversion within this 60-day period, you must wait for a qualifying life event or the next open season if you wish to end your health coverage. To terminate your FEHB enrollment later during the 18-month period, use the checklist enclosed at Attachment 2, "FEHB Termination Election for Employees on Extended Military Active Duty." A request to terminate coverage later will be effective at the end of the pay period in which BEST receives it.

If you elect to terminate FEHB coverage you are entitled to a 31-day extension of coverage with the right to convert to an individual policy offered by the carrier of your health plan. Your health benefits coverage will be automatically reinstated when you are restored to your civilian position. This is not considered a break in coverage, and the period of time on LWOP-US or Separation-US counts toward the 5 years of continuous coverage required for retirement purposes if you are covered by TRICARE/CHAMPUS during the entire absence.

May I use the BEST automated phone system or EBIS web application to stop my health insurance enrollment instead of the attached checklist(s)? **We recommend against using the BEST phone line or EBIS**, because doing so will result in a **cancellation** of your enrollment rather than a **termination**. A termination of FEHB coverage is usually more advantageous because it is not considered a break in the continuous enrollment necessary for continuing coverage during retirement, and the FEHB coverage is reinstated when the employee returns to duty. A cancellation via the BEST phone line or EBIS is considered purely voluntary and will count as a break in the continuous enrollment necessary for continuing FEHB into retirement (unless covered by TRICARE/CHAMPUS during the period the coverage was cancelled). Further, if you cancel your coverage, it will NOT be reinstated upon return to duty.

Please indicate your decision regarding FEHB coverage on the checklist provided at Attachment 1. If you are on extended active duty that lasts more than 30 days, you and your family may be eligible for TRICARE/CHAMPUS benefits. Contact your TRICARE representative for additional information.

If you do not certify and return the checklist at Attachment 1 within 31 days indicating your elections, your FEHB coverage will automatically continue and you will incur a debt. BEST must receive the checklist and orders to determine if you qualify for agency payment of your FEHB premiums.

LONG TERM CARE(LTC) INSURANCE: If you are enrolled in LTC insurance and your premiums are deducted through payroll deduction, you should contact LTC Partners to select a different payment option such as direct billing or automatic bank withdrawal. If you are enrolled in LTC and you separate, your LTC insurance is portable. As long as you continue to pay your premiums, your coverage will continue. If you cancel your coverage while on LWOP-US (maybe your military pay is less than your civilian pay), you will not get a new 60 day opportunity to apply for coverage using the abbreviated underwriting application once you return to a pay and duty status. You can apply again using the full underwriting application. Being called to active duty doesn't give you an opportunity to enroll in LTC using the abbreviated underwriting application as a military member. You can apply as a military member (if eligible) using the full underwriting form and have premiums taken from your military pay. Once you are released from active duty and return to a pay and duty status, you would need to contact LTC Partners to switch your payroll identifier number. For more information, contact LTC Partners at 1-800-LTC-FEDS (1-800-582-3337) or go to www.ltcfeds.com.

THRIFT SAVINGS PLAN (TSP): You may not contribute to your TSP account while on LWOP or while separated, nor will the agency contribute (FERS only). However, if you are restored to a civilian position in accordance with USERRA (38 U.S.C. Chapter 43), you may, within 60 days of the date of your reemployment or restoration, elect to make up TSP contributions for all or part of the period of your military status. If you contributed to your uniformed services TSP account while on military duty, the amount of employee contributions you may make up must be reduced by the amount of your contributions to your uniformed services account and payroll will require copies of all your military Leave and Earning Statement(s). If you are a FERS employee and otherwise eligible, you will receive the agency automatic 1% contribution you would have received had you remained in your civilian job, whether or not you make up employee contributions. FERS employees will also receive agency matching contributions as they make up employee contributions, if otherwise eligible. In addition, if you made contributions to your uniformed services account, you are entitled to agency matching contributions to your civilian account based on the contributions that were deducted from the **basic pay** you received while performing active duty. This is true whether or not you make up civilian employee contributions. The TSP Fact Sheet, *TSP Benefits that Apply to Members of the Military Who Return to Federal Civilian Service*, explains these benefits in greater detail, including a description on how the maximum agency matching contributions are computed. You can obtain this fact sheet at <http://www.tsp.gov/forms/oc95-5.pdf>. Additional information is also available in our brochure "Information for Employees Returning from Military Active Duty," which your CPF will issue to you on return to civilian employment. If you'd like to see it now, it's available at on the BEST website at <http://www.afpc.randolph.af.mil/dpc/best/bestbrochures.htm> (under Limited Service Employees), or via the BEST phone system's fax back feature, document #0112.

If you have a TSP loan and you elect to be separated from Federal employment while on active duty, you will be required to repay your loan in full or it will be declared a taxable distribution. If you did not voluntarily withdraw your TSP account upon separation and you are reemployed under USERRA, you may have the taxable distribution reversed by either repaying the full amount of the taxable distribution or reinstating a loan payment schedule. If you elect to enter a LWOP status you will be permitted to suspend payments for the duration of your active military service, although interest will continue to accrue for the entire period. Suspending your loan payments will prevent a possible taxable distribution on the unpaid

balance. In order for the loan payments to be suspended, the National Finance Center (NFC) must be notified of your LWOP status. Please indicate on the checklist at Attachment 1 if you have a TSP loan and provide the loan number, and we will notify the NFC on your behalf. Upon restoration to duty, the agency will resume your loan payments. However, it is your responsibility to notify the NFC at (504) 255-5110 immediately of your military service ending date and provide a copy of your DD 214 or certified orders (AF Form 938 or the equivalent).

RETIREMENT SERVICE CREDIT: An employee who is placed on LWOP-US continues to be covered by the retirement law and is eligible for death or disability benefits under the applicable retirement system. Employees choosing Separation-US are not eligible for disability benefits. Survivors of employees who have separated from Federal service and die before electing a refund of retirement withholdings are eligible for survivor benefits paid upon the death of a former employee – this may or may not include a survivor annuity.

1) If you are a Civil Service Retirement System (CSRS) employee first hired before 1 Oct 82, this period of LWOP for military duty is creditable toward potential civilian retirement and annuity computation without making a service-credit deposit. However, if you choose not to make a deposit to cover this period of service, your annuity will be recomputed to take out credit for this service when you turn 62 if you are also eligible for Social Security at that time. You may ensure continued retirement credit for military service by making a service credit deposit.

2) If you are a Civil Service Retirement System (CSRS) employee first hired after 30 Sep 82, this period of LWOP for military duty is creditable toward potential civilian retirement only if you make a service-credit deposit to cover this period of service.

3) If you are a Federal Employee Retirement System (FERS) employee, this period of LWOP for military duty is creditable toward potential civilian retirement only if you make a service-credit deposit to cover this period of service.

ACTIONS TO BE PROCESSED WHILE YOU ARE IN MILITARY STATUS: Any pay adjustments, within-grade increases, and promotions to which you are entitled during your absence will be processed upon your restoration by your servicing CPF. If you receive a promotion while in military status, your reemployment rights will be to the position you are promoted to.

RESTORATION RIGHTS: In accordance with the provisions of USERRA, Department of Defense employees who are absent from a position of employment by reason of service in the uniformed services shall be entitled to reemployment rights if (1) they gave advance written or verbal notice of the active service to their employer, (2) the cumulative length of this and all previous absences from DoD employment for military service does not exceed 5 years, and (3) they report to or submit an application for reemployment. In some instances, the period of service is exempt from the 5-year cumulative limit; in these instances the active duty orders should cite the specific statutory reference covering the exemption. For example, if employees are called to active duty under 10 U.S.C. 12304, the orders should include a remark such as, "In accordance with Title 38, Chapter 43 section 4312(c)(4)(A), this period of active service is exempt from the 5-year cumulative limit under USERRA."

(1) If your period of active duty is for more than 180 days, you must apply for reemployment within 90 days of your release from the service and your separation must be under honorable conditions. You may submit a letter to your servicing civilian personnel flight (CPF) advising them of the date you were/will be separated from active service. You are also allowed to return to your civilian position while on military terminal leave, if you so desire. You will be reemployed to your last permanent position only if that position is vacant at the time of your reemployment. If you cannot be reemployed in that position, you will be assigned to an equivalent vacant position for which you qualify. If a suitable vacancy does not exist, you will only be entitled to displace an employee occupying a continuing position under a

temporary appointment. If there is no such position available in the commuting area, your reemployment rights will be agency-wide and you may be offered a position anywhere within the Air Force.

(2) If your period of active duty is for more than 30 days but less than 181 days, you must submit an application for reemployment (or a letter as explained in the above paragraph) not later than 14 days after the completion of the period of service or, if submitting such application within this timeframe is impossible or unreasonable through no fault of your own, the next first full calendar day when submission of such application becomes possible.

(3) If your period of active military service is for less than 31 days, you must report not later than the beginning of the first full regularly scheduled work period on the first full calendar day following the completion of the period of service and the expiration of eight hours after a period allowing for your safe transportation from the place of service to your residence; or as soon as possible after the expiration of the eight-hour period referred to above if reporting within the period above is impossible or unreasonable through no fault of your own.

POWER OF ATTORNEY: If you wish your spouse or other person to make health insurance, life insurance, or TSP elections on your behalf while on active military duty, BEST requires a power of attorney or statement signed and dated by you. The power of attorney or statement must clearly specify the person who may make changes on your behalf, and that they are allowed to make changes/investments to your health and/or life insurance and Thrift Savings Plan. Fax a power of attorney to BEST at DSN 665-2936 or (210) 565-2936.

QUESTIONS OR CONCERNS:

Please direct questions concerning your health insurance, life insurance, or TSP entitlements to the Benefits and Entitlements Service Team (BEST) at 1-800-997-2378 (or commercial 527-2378 if calling within the San Antonio, Texas area). Overseas employees will call a toll-free AT&T direct access number for the country in which located, then 800-997-2378. (AT&T direct access numbers can be obtained from http://www.att.com/international_business/dialing_guide/country-diallist.cgi). Benefits Counselors are available Monday through Friday, 7 a.m. to 6 p.m., Central Standard Time.

PLEASE NOTE: Questions concerning retirement, death-in-service survivor benefits, military leave, annual/sick leave, restoration rights, or personnel actions processed while you are in a non-pay status must be directed to your servicing Civilian Personnel Flight.

Please remember to complete the checklist at Attachment 1 and submit it with your RPA/SF 52 and orders. The CPF will forward a copy of the checklist and your orders to BEST.

Attachments:

1. Checklist for Employees Entering Extended Military Active Duty
2. FEHB Termination Election (for use only if already on active duty)

RECEIPT ACKNOWLEDGEMENT:

I acknowledge receipt of this brochure, "Information for Employees Entering Military Active Duty – Limited Service" (24 Mar 03 version).

Employee Signature

Date

Checklist for Employees Entering Extended Military Active Duty

EMPLOYEES: Complete and return with RPA/SF-52 and active duty orders to your Civilian Personnel Flight (CPF).

CIVILIAN PERSONNEL FLIGHTS: Please remember to mail or fax a copy of this form and the active duty orders to BEST at HQ AFPC/DPCMB, 550 C Street West Ste 57, Randolph AFB TX 78150-4759, Fax: DSN 665-2936 or (210) 565-2936.

EMPLOYEE FULL NAME (please print) _____

SSN _____ **Date of Birth** _____

Date of Entry on Active Duty Specified in Orders: _____

I want to be: (Please initial your election/acknowledgment)

_____ Placed on LWOP-US, beginning _____ (the first civilian duty day following annual leave, military leave, compensatory time, and/or credit hours.)

_____ Separated, effective _____

Annual Leave: (initial one)

_____ I want my annual leave to remain to my credit.

_____ I would like to be paid a lump sum for my annual leave balance.

Health Benefits: (initial to continue/terminate; if form not returned, coverage continues)

_____ My military service is for 30 days or less so my coverage will continue. I need make no further election, unless my military service is later extended past 30 days.

_____ I want to terminate my FEHB coverage. The effective date will be the day before the date of entrance on active duty specified on my orders, NOT the effective date of my LWOP. The coverage will be reinstated on return to civilian service (unless upon return to duty you waive immediate reinstatement to use any transitional TRICARE coverage you may be eligible for).

_____ I want to continue my FEHB coverage (initial one):

_____ I am being called to active duty in support of a contingency operation. My agency will pay my share of the FEHB premium for up to 18 months of active duty in support of a contingency. The 18 month period starts the date of entry on active duty specified in my orders. Non-refundable FEHB premiums will be withheld from pay I may receive for military leave, annual leave, compensatory time or credit hours during the 18 month period.

_____ I am not called to active duty in support of a contingency operation. I want to pay for my FEHB by (initial one):

_____ Making current continuing payments directly to DFAS during my absence (with after-tax monies) **OR**.

_____ I want to incur a debt to be paid upon my return to duty (on a pre-tax basis if I participate in Premium Conversion). I understand if I continue my FEHB after the first 12 months, I will pay 102% of the cost and it must be paid currently for the final 6 months.

_____ I understand if I am participating in Premium Conversion, I have 60 days from the start of my unpaid leave of absence to terminate participation, which would allow me to terminate my FEHB coverage at any time, using the FEHB Termination Election on page 3 of this checklist. If I do not cancel my premium conversion participation within the 60-day limit, I cannot terminate my FEHB except during the annual FEHB open season or 60 days after another qualifying life event.

Life Insurance: (initial both)

- ☐ I understand my FEGLI coverage (if enrolled) will continue for 12 months in nonpay status at no cost to me. It will then terminate with an automatic 31-day extension of coverage and right to convert to private policy. If I separate from employment, I understand my FEGLI coverage will continue at no cost for up to 12 months, or until 90 days after my military service ends, whichever date comes first, and will then terminate with the 31-day extension of coverage and right to convert to a private policy.
- ☐ I understand if I have a qualifying life event (QLE), e.g., marriage, divorce, death of spouse, acquiring an eligible child, while in nonpay status, I must contact BEST from 31 days before but not later than 60 days after the event if I wish to enroll in or increase Option B or C.

Retirement: (initial one)

- ☐ (FERS, and CSRS hired after 9/30/82) I understand that a military deposit is required to receive credit for this period of military service toward my civilian retirement, and that the deposit must be made before I retire.
- ☐ (CSRS first hired before 10/1/82) I understand that if I am eligible for Social Security at age 62, a military deposit is required to ensure continued credit in the computation of my retirement annuity after age 62. I understand this deposit must be made before I retire.

Thrift Savings Plan: (initial both)

- ☐ If I am restored to my civilian position, I may make retroactive contributions and elections, which will be reduced if I contributed to TSP as a uniformed service member while on active duty. I understand I will need to contact the Benefits and Entitlements Service Team (BEST), within 60 days of return to duty, to make retroactive TSP contributions and elections.
- ☐ I understand if I have a TSP loan, it will be suspended for the entire period of my active military service, and loan payments will resume upon return to duty. Also, I am responsible for notifying the National Finance Center (NFC) of my military service ending date immediately upon release from active duty and providing the NFC my DD 214 or certified orders (AF Form 938 or the equivalent). If I fail to do this within 90 days of release from active duty, the loan may have to be reamortized or a taxable distribution may be declared.

Check one:

- ☐ I have a TSP loan(s). Loan number(s): _____
- ☐ I do not have a TSP loan.

Power of Attorney: I understand I must provide a power of attorney or statement to BEST (to the fax number/address at the top of this checklist) if I wish my spouse or other person to make health, life, or TSP changes/elections on my behalf while on active military duty.

My elections for this period of military active duty are marked above and I understand my elections. I understand that I must notify my supervisor or the CPF when my tour is completed.

Signature: _____ **Date:** _____

Home Address: _____

FEHB Termination Election

(Use this form *only* if you originally elected to continue FEHB coverage and now wish to terminate your coverage)

Mail or fax this form to BEST at the following address or fax number:

**HQ AFPC/DPCMB
550 C Street West Ste 57
Randolph AFB TX 78150-4759
FAX: DSN 665-2936 or Commercial 210-565-2936**

Health Benefits:

I initially elected to continue my FEHB coverage during this period of LWOP. I now elect to terminate my FEHB coverage. **The effective date of the termination will be the end of the pay period in which BEST receives this election.** I would like my FEHB coverage reinstated upon my return to duty.

(Please initial) _____ I am not currently participating in premium conversion. (I understand that if I am currently participating in premium conversion, I may not terminate now – I must wait for an open season or a qualifying life event.)

Printed Name _____

SIGNATURE: _____ **Date:** _____

Date of Birth: _____ **SSN:** _____

Home Address: _____